

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH DAKOTA

In re:) Bankr. No. 13-10118
) Chapter 11
NORTHERN BEEF PACKERS)
LIMITED PARTNERSHIP) ORDER RE: WHITE OAK
Tax ID/EIN 26-2530200) GLOBAL ADVISORS, LLC'S MOTION
) FOR APPROVAL OF SETTLEMENTS
) OF CERTAIN OBJECTIONS TO
Debtor.) WHITE OAK'S ESCROW MOTION

Upon consideration of White Oak Global Advisors, LLC's Motion to Establish a Cash Escrow Account Funded by White Oak to Satisfy Any Allowed Claim Secured by a Prior, Valid, Perfected Lien of Defendants Scott Olson Digging, Inc. and Brown County, South Dakota on Any of the Sold Assets (doc. 675), Brown County, South Dakota's and Scott Olson Digging, Inc.'s objections (docs. 687 and 694), White Oak Global Advisors, LLC's Motion for Approval of Settlements of Objections to White Oak's Escrow Motion (doc. 735), the Stipulation Between White Oak and Brown County Resolving Brown County's Objection to White Oak's Motion to Establish a Cash Escrow Account (doc. 735-1), the Stipulation Between White Oak Global Advisors, LLC and Scott Olson Digging, Inc. (doc. 735-2), and the record before the Court; and it appearing no objection to the settlement motion was timely filed after appropriate notice; and for cause shown; now therefore,

IT IS HEREBY ORDERED White Oak Global Advisors, LLC's Motion for Approval of Settlements of Objections to White Oak's Escrow Motion is granted, and the stipulations are approved, except that:

- (1) the escrow accounts referenced in the stipulations shall be created at an institution and maintained in a type of account at that institution that are acceptable to the United States Trustee;
- (2) as long as this case remains open, any withdrawals from the escrow accounts shall only be made pursuant to an order of this Court;
- (3) this order is not dispositive of whether this Court or another court of

appropriate jurisdiction will determine the amount or priority of Scott Olson Digging, Inc.'s claim;

- (4) this order is not dispositive of what portion of White Oak Global Advisors, LLC's bid for the Operating Assets must be in cash, as provided by the Order Authorizing the Sale and the Transfer of Certain Estate Assets to the Successful Bidder (doc. 621);
- (5) to the extent any Federal Rule of Bankruptcy Procedure stays the effectiveness of this order, including but not limited to Fed.R.Bankr.P. 6004(h), the rule is not waived; and
- (6) a separate order will be entered scheduling a hearing on the remaining objections to White Oak Global Advisors, LLC's Motion to Establish a Cash Escrow Account Funded by White Oak to Satisfy Any Allowed Claim Secured by a Prior, Valid, Perfected Lien of Defendants Scott Olson Digging, Inc. and Brown County, South Dakota on Any of the Sold Assets.

So ordered: February 4, 2014.

BY THE COURT:



Charles L. Nail, Jr.
Bankruptcy Judge

NOTICE OF ENTRY
Under Fed.R.Bankr.P. 9022(a)

This order/judgment was entered
on the date shown above.

Frederick M. Entwistle
Clerk, U.S. Bankruptcy Court
District of South Dakota